

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

KHISTINA DE JEAN,

Plaintiff,

v.

SCOTT NAGO,

Defendant.

CIV. NO. 23-00228 JMS-RT

ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATION TO DISMISS
COMPLAINT AND DENY
APPLICATION TO PROCEED IN
FORMA PAUPERIS, ECF NO. 7

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND
RECOMMENDATION TO DISMISS COMPLAINT AND DENY
APPLICATION TO PROCEED IN FORMA PAUPERIS, ECF NO. 7**

Findings and Recommendation having been filed and served on all parties on June 28, 2023, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to 28 U.S.C. § 636(b)(1)(C) and Local Rule 74.1, the Findings and Recommendation are ADOPTED as the opinion and Order of this court. Plaintiff is granted leave to amend as described in this order by **August 4, 2023**. Plaintiff is further ORDERED to file a completely filled Application to Proceed Without Prepaying Fees or Costs (“IFP Application”) on Form AO 240 by **August 4, 2023**.

It is unclear to the court whether Plaintiff’s “Motion to Proceed in Highest Court Over District Cour[sic] Out of Hawaii With Out Pay,” ECF No. 10

(“Motion”), filed on July 4, 2023, was intended to be an amended complaint or another IFP Application. The court DENIES the Motion, ECF No. 10. If the contents of that Motion are pertinent to her claims or IFP Application, Plaintiff may address them accordingly in an Amended Complaint or new IFP Application. Failure to file an amended complaint by **August 4, 2023**, may result in automatic dismissal of this action. The Clerk is DIRECTED to send Plaintiff a blank IFP Application (Form AO 240) so that she can comply with this order if she elects to proceed in forma pauperis.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, July 14, 2023.



/s/ J. Michael Seabright
J. Michael Seabright
United States District Judge

De Jean v. Nago, Civ. No. 23-00228 JMS-RT, Order Adopting Magistrate Judge’s Findings and Recommendation to Dismiss Complaint and Deny Application to Proceed In Forma Pauperis, ECF No. 7